

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 677 OF 2026

Mithlesh D Rajput And Anr. ... Petitioners

V/s.

The State of Maharashtra ... Respondent

Mr. Sunil Mishra, for the Petitioners

Ms. P. N. Dabholkar, APP for the State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 16th FEBRUARY, 2026.

PC. :

1. This Petition filed on 2nd February, 2026 seeks the following reliefs:

b) That the impugned summons issued to the petitioners in the criminal case No. SS/3583/2013 pending before the 30th Court of Ld. Judicial Magistrate First Class at Kurla, Mumbai may be set-aside and/or quashed and/or a direction in the like nature be issued thereby declaring the said summons to be illegal, null and void and hence, be quashed qua the petitioners.

c) That the criminal case No. SS/3583/2013 pending before the 30th Court of Ld. Judicial Magistrate First Class at Kurla, Mumbai may be set-aside and/or quashed and/or a direction in the like nature be issued

thereby declaring the said summons to be illegal, null and void and hence, be quashed qua the petitioners.

2. Though the Petition does not make a reference to the date of the impugned order, however, the impugned order which is at page No. 21 indicates the same was passed on 21st November, 2013.

3. Ms. Dabholkar, learned APP for the state raised preliminary objections, firstly to the maintainability of the present petition on the ground that the impugned FIR is a revisable order and secondly on the ground of delay and latches.

4. Faced with the said objection, Mr. Sunil Mishra, learned Advocate for the Petitioner sought a passover. After the passover, at his request, the matter was taken up. Mr. Sunil Mishra, on instructions from the Petitioners crave leave to withdraw the present Petition. Request made by Mr. Sunil Mishra, not objected to by Ms. Dabholkar, learned APP.

5. In view of the above request made by Mr. Sunil Mishra,

leave granted to withdraw the present Petition.

6. Criminal Writ Petition No. 677 of 2026 is disposed of as withdrawn.

(ASHWIN D. BHOBE, J.)